

**FORTIETH DAY**

**MORNING SESSION**

Senate Chamber, Olympia, Friday, February 19, 2010

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Benton, Brown, Delvin, Eide, Fairley, Hargrove, Hewitt, Hobbs, Holmquist, Jacobsen, Marr, McCaslin, Oemig, Prentice, Pridemore, Ranker, Regala, Sheldon, Tom and Zarelli.

The Sergeant at Arms Color Guard consisting of Pages Ina Dash and Jefferson Lee, presented the Colors. Senator Kline offered the prayer.

**MOTION**

On motion of Senator McDermott, the reading of the Journal of the previous day was dispensed with and it was approved.

**MOTION**

There being no objection, the Senate advanced to the first order of business.

**REPORTS OF STANDING COMMITTEES**

February 17, 2010

HB 1785 Prime Sponsor, Representative Armstrong: Concerning the chief for a day program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Berkey; Delvin; Hatfield; Kauffman; Kilmer and King.

Passed to Committee on Rules for second reading.

February 18, 2010

SHB 2420 Prime Sponsor, Committee on Community & Economic Development & Trade: Promoting industries that rely on the state's working land base. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: Do pass as amended. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and Kilmer.

Passed to Committee on Rules for second reading.

February 17, 2010

SHB 2429 Prime Sponsor, Committee on Commerce & Labor: Addressing the resale of motor vehicles previously determined as having nonconformities. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Berkey; Delvin; Hatfield; Kauffman; Kilmer and King.

Passed to Committee on Labor, Commerce & Consumer Protection.

February 18, 2010

SHB 2430 Prime Sponsor, Committee on Health Care & Wellness: Concerning cardiovascular invasive specialists. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Murray and Parlette.

Passed to Committee on Rules for second reading.

February 18, 2010

HB 2435 Prime Sponsor, Representative Green: Concerning midwives. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Murray and Parlette.

Passed to Committee on Rules for second reading.

February 18, 2010

HB 2605 Prime Sponsor, Representative Driscoll: Concerning billing for anatomic pathology services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley and Parlette.

Passed to Committee on Rules for second reading.

February 18, 2010

2SHB 2670 Prime Sponsor, Committee on Ways & Means: Restoring the school district levy base. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Oemig, Vice Chair, K-12; King; Hobbs; Holmquist and McDermott.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Roach.

Passed to Committee on Ways & Means.

February 18, 2010

2SHB 2759 Prime Sponsor, Committee on Ways & Means: Adjusting local school finance related to nonresident students enrolled in online learning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Oemig, Vice Chair, K-12; King; Hobbs; Holmquist; McDermott and Roach.

Passed to Committee on Ways & Means.

February 18, 2010

SHB 2841 Prime Sponsor, Committee on Health Care & Wellness: Concerning the standard health questionnaire. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Murray and Parlette.

Passed to Committee on Rules for second reading.

February 18, 2010

SHB 2893 Prime Sponsor, Committee on Education Appropriations: Changing school levy provisions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Hobbs and McDermott.

MINORITY recommendation: Do not pass. Signed by Senator Holmquist.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Roach.

Passed to Committee on Ways & Means.

February 18, 2010

SHB 2933 Prime Sponsor, Committee on Finance: Modifying sales and use tax provisions for the local infrastructure financing tool program. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and Kilmer.

Passed to Committee on Ways & Means.

#### MOTION

On motion of Senator McDermott, all measures listed on the Standing Committee report were referred to the committees as designated.

#### MOTION

On motion of Senator McDermott, the Senate advanced to the fourth order of business.

#### MESSAGE FROM THE HOUSE

February 18, 2010

MR. PRESIDENT

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL 1775

ENGROSSED HOUSE BILL 3023

ENGROSSED SUBSTITUTE HOUSE BILL 3175

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

#### MESSAGE FROM THE HOUSE

February 18, 2010

MR. PRESIDENT

The House has passed:  
HOUSE BILL NO. 2697.  
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

#### MOTION

On motion of Senator McDermott, the Senate advanced to the fifth order of business.

#### INTRODUCTION AND FIRST READING

SB 6868 by Senator Hargrove

AN ACT Relating to the reasons for which a manifest injustice disposition may be imposed upon a juvenile offender; amending RCW 13.40.150, 13.40.160, and 13.40.165; and providing an effective date.

Referred to Committee on Human Services & Corrections.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

E2SHB 1597 by House Committee on Finance (originally sponsored by Representatives Springer and Hunter)

AN ACT Relating to improving the administration of state and local tax programs without impacting tax collections by providing greater consistency in numerous tax incentive programs, revising provisions relating to the confidentiality and disclosure of tax information, and amending statutes to improve clarity and consistency, eliminate obsolete provisions, and simplify administration; amending RCW 42.56.230, 82.16.120, 82.32.480, 82.60.100, 82.62.080, 82.63.070, 82.74.070, 82.75.060, 83.100.210, 39.100.050, 82.04.060, 82.04.190, 82.04.280, 82.04.280, 82.04.3651, 82.04.394, 82.08.010, 82.08.020, 82.08.020, 82.08.0256, 82.08.02573, 82.08.0273, 82.08.0293, 82.08.865, 82.08.700, 82.12.0257, 82.12.040, 82.12.865, 82.14.020, 82.16.110, 82.32.080, 82.32.440, 82.36.440, 82.38.280, 82.62.010, 82.80.120, 83.100.040, 83.100.046, 83.100.046, 29A.36.210, 36.68.525, 36.69.145, 84.36.040, 84.36.381, 84.36.385, 84.37.030, 84.37.902, 84.48.050, 84.52.030, 84.52.070, and 84.52.080; amending 2009 c 461 s 9 (uncodified); reenacting and amending RCW 82.32.330, 82.04.050, 82.04.360, 82.08.050, 82.16.010, 82.32.520, 82.32.730, 84.34.020, and 84.36.383; adding a new section to chapter 35.102 RCW; adding a new section to chapter 82.32 RCW; creating new sections; repealing RCW 84.55.080; providing effective dates; providing expiration dates; and providing a contingent expiration date.

Referred to Committee on Ways & Means.

#### MOTION

On motion of Senator McDermott, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

#### MOTION

On motion of Senator McDermott, the Senate advanced to the eighth order of business.

FORTIETH DAY, FEBRUARY 19, 2010  
MOTION

2010 REGULAR SESSION

The motion by Senator Kastama carried and the resolution was adopted by voice vote.

Senator Kastama moved adoption of the following resolution:

SENATE RESOLUTION  
8694

By Senators Kastama, Jacobsen, Haugen, Sheldon, Shin, Franklin, Regala, Murray, Eide, Marr, McDermott, Hobbs, Kilmer, Berkey, Kauffman, Gordon, McAuliffe, Keiser, Kohl-Welles, Roach, Becker, Stevens, and Carrell

WHEREAS, The annual Daffodil Festival is a cherished tradition for the people of Pierce County and the Northwest; and

WHEREAS, 2010 marks the 77th annual Daffodil Festival; and

WHEREAS, The mission of the Daffodil Festival is to focus national and regional attention on our local area as a place to live and visit; to give citizens of Pierce County a civic endeavor where the "Carousel of Spring" comes alive, fostering civic pride; to give young people and organizations of the local area an opportunity to display their talents and abilities; to give vent to citizens' enthusiasm in parades, pageantry, and events; and to stimulate the business economy through expenditures by and for the Festival and by visitors attracted during Festival Week; and

WHEREAS, The Festival began in 1926 as a modest garden party in Sumner and grew steadily each year until 1934, when flowers, which previously had been largely discarded in favor of daffodil bulbs, were used to decorate cars and bicycles for a short parade through Tacoma; and

WHEREAS, The Festival's 2010 events are ongoing with the 49th Annual Junior Parade on March 27, 2010, the 77th Annual Grand Floral Street Parade on April 10, 2010--winding its way from downtown Tacoma through the communities of Puyallup, Sumner, and Orting and consisting of approximately 40 float entries and over 80 other entries, including bands, marching and mounted units, and floats that are decorated with fresh-cut Daffodils, numbering in the thousands--and will culminate with the 58th Annual Marine parade on April 18, 2010; and

WHEREAS, This year's Festival royalty includes Princesses Emily Lanoce, Bethel High School; Ashley Alvarez, Bonney Lake High School; Mindy Barton, Cascade Christian High School; Crystal Daniels, Chief Leschi High School; Felicia Brown, Clover Park High School; Sara Davis, Curtis High School; Kaitlynn Barratt, Eatonville High School; Jenae Wilczynski, Emerald Ridge High School; Anne Phillips, Fife High School; Celine Mortensen, Franklin Pierce High School; Tresa Turner, Graham-Kapowsin High School; Ilona Trofimovich, Henry Foss High School; Kelly Hewitt, Lakes High School; Cassaunda Myers, Lincoln High School; Christine Smith, Mt. Tahoma High School; Destiny Sternod, Orting High School; Stephanie Clark, Puyallup High School; Victoria Knight, Rogers High School; Kaleigh Barnett, Spanaway Lake High School; Annie Jeong, Stadium High School; Alexandra Montano, Sumner High School; and Sharsten Thompson, Washington High School;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and honor the many contributions made to our state by the Daffodil Festival and its organizers for the past 77 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2010 Daffodil Festival Officers and to the members of the Festival Royalty.

Senators Kastama, Becker, King, Roach and Franklin spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8694.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Stephanie Clark, the 2010 Daffodil Queen, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Daffodil Queen Stephanie Clark to address the Senate.

REMARKS BY MISS STEPHANIE CLARK

Stephanie Clark: "Hello, my name is Stephanie Clark and I'm the Princess from Puyallup High School. I would just like to say thank you so much for having us here today. It is an incredible honor and a privilege that we've all been looking forward to. You all welcomed us so graciously this morning. Those words were all very kind and we're all extremely excited to be here. Like it has been said, this is the Daffodil Festival's seventy-seventh spring this year and we are celebrating the 'Carousel of Spring.' The daffodil was introduced into Puyallup and Sumner in the early 1920's and the Valley has shown brighter every day since. Some important days that we have coming on our calendars this year is the spaghetti feed at Puyallup High School on February 26, Daffodil Days at the South Hill Mall on February 27 & 28. The Queen's coronation on March 12 at Four Square Church in Puyallup and then of course the Grand Floral Parade on April 10 which goes through Tacoma, Puyallup, Sumner and Orting. Again, I'd like to thank everybody for having us today, especially Senator Kastama and his aides for organizing and this visit so wonderfully for us. Thank you."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced representatives of the Daffodil Festival, Daffodil Festival President Karen Baskett; Vice President of Royalty Kathi Baldwin; Queen Mother Kimberly James and Daffodil Festival Officers and the royalty chaperones who were seated in the gallery.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed a group of home school students from Bainbridge Island led by Rebecca Rockefeller, daughter of Senator Rockefeller, who were seated in the gallery.

PERSONAL PRIVILEGE

Senator McDermott: "Thank you Mr. President. I'd like to observe that today is the anniversary of the signing of Executive Order 9066 by Franklin Delano Roosevelt that interned many Americans, particularly Japanese ancestry that we were aware of in our region. German and Italian Americans as well following the outbreak of World War II and America's entrance into it. We need to observe it because it was a time when actually American citizens were interned within our own country, our own borders, for perceived threats to our nation. In fact, the FBI director argued against it believing that true threats had already been captured long before the Executive Order was signed. In a day when we had many young women here who we hope have great roles to achieve in their lives, professionally and personally, I think it's important to recognize that in fact the first lady, Eleanor Roosevelt, had spoken to her husband the President on numerous occasions persuading him not to sign it. Unfortunately he did and I think particularly with people from Bainbridge Island observing

our work today we need to recognize the anniversary of the signing of Executive Order 9066. Thank you Mr. President.”

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

MOTION

At 10:25 a.m., on motion of Senator McDermott, the Senate adjourned until 12:00 noon, Monday, February 22, 2010.

Draft

FORTIETH DAY, FEBRUARY 19, 2010

2010 REGULAR SESSION

|  |                        |   |  |  |   |
|--|------------------------|---|--|--|---|
| 1597-S2                                      | Committee Report ..... | 2   | 2893-S   | Committee Report .....                       | 2 |
| Introduction & 1 <sup>st</sup> Reading ..... | 2                      | 2933-S  | Committee Report .....   | 2  |   |
| 1775-S                                       | Messages .....         | 2   | 3023   | Committee Report .....                       | 2 |
| 1785   | Committee Report ..... | 1   | Messages .....   | 2  |   |
| 2420-S                                       | Committee Report ..... | 1   | 3175-S   | Messages .....                               | 2 |
| 2429-S                                       | Committee Report ..... | 1   | 6868   | Introduction & 1 <sup>st</sup> Reading ..... | 2 |
| 2430-S                                       | Committee Report ..... | 1   | 8694   | Adopted .....                                | 3 |
| 2435   | Committee Report ..... | 1   | Introduced .....   | 3  |   |
| 2605   | Committee Report ..... | 1   | <b>PRESIDENT OF THE SENATE</b>   |  |   |
| 2670-S2                                      | Committee Report ..... | 1   | Intro. Special Guests, Daffodil Festival Royalty .....                       | 3  |   |
| 2697   | Committee Report ..... | 1   | <b>PRESIDENT OF THE SENATE</b>   |  |   |
| Messages .....                               | 2                      | Intro. Special Guest, Rebecca Rockefeller ..... | 3  |  |   |
| 2759-S2                                      | Committee Report ..... | 1   | Intro. Special Guest, Stephanie Clark, 2010 Daffodil Festival Princess ..... | 3  |   |
| 2841-S                                       | Committee Report ..... | 1   | <b>WASHINGTON STATE SENATE</b>   |  |   |
|  |                        |   | Personal Privilege, Senator McDermott .....                                  | 4  |   |
|  |                        |   | Remarks by Stephanie Clark .....   | 3  |   |

